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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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07/926,200 08/07/92 DUNN

P 72939

EXAMINER

BROWN, D

ART UNIT

PAPER NUMBER

2201

DATE MAILED:

03/18/93

OFFICE OF COUNSEL
BLDG. 112T
NAVAL UNDERSEA WARFARE CENTER
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NEWPORT, RI 02841-5047

22M1

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☐ Responsive to communication filed on _____ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 6 month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input checked="" type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of informal Patent Application, Form PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-13 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. ☐ Claims _____ have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☒ Claims 1-13 are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable. ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____ has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed on _____, has been ☐ approved. ☐ disapproved (see explanation).
12. ☐ Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received
☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

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This document contains information under
SECURITY ORDER, defined in 38 USC 181-184.
Unauthorized Disclosure subject to Civil
and Criminal Sanctions.

EXAMINER'S ACTION

1. Attention is directed to enclosed form PTO-948. Note the information on how to effect drawing changes on the back of the form.
2. On page 1 the serial numbers of the applications referred to by "Navy Case" numbers must be supplied. Note also that in line 10 the term "Closed" should read Semiclosed.
3. The drawing is further objected to since the oxidant "source" (claim, line 5), the afterburner oxidant injection means "in communication with said oxidant source" (claim 1, lines 22 and 23), and "said Brayton cycle system" (claim 1, line 30), as positively called for in the claim as indicated, have not been shown. It will be recognized that 37 CFR 1.83 clearly requires every feature of the invention claimed to be illustrated.
4. Correction of the specification and drawing is required.
5. Claims 1-13 appear herein.
6. The following is a quotation of 35 USC 112 that forms the bases for the rejections made under the appropriate paragraphs of this statute:

"The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

A claim may be written in independent or, if the nature of the case permits, in dependent or multiple claim form.

Subject to the following paragraph, a claim in dependent form shall contain a reference to a claim previously set forth and then specify a further limitation of the subject matter claimed. A claim in dependent form shall be construed to incorporate by reference all the limitations of the claim to which it refers.

A claim in multiple dependent form shall contain a reference, in the alternative only, to more than one claim previously set forth and then specify a further limitation other multiple dependent claim. A multiple dependent claim shall be construed to

incorporate by reference all the limitations of the particular claim in relation to which it is being construed.

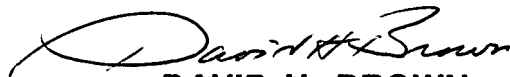
An element in a claim for a combination may be expressed as a means or step for performing a specified function without the recital of structure, material, or acts in support thereof, and such claim shall be construed to cover the corresponding structure, material, or acts described in the specification and equivalents thereof."

7. Claims 1-13 are rejected under 35 USC 112, first paragraph, as being vague and indefinite wherein lines 3, 12, 22 and 28 of basic claim 1 the term "housing" has no antecedent support in the specification. See 37 CFR 1.75(d)(1).

8. Claims 2-13 are further rejected under 35 USC 112, second paragraph, as being vague and confusing wherein lines 7-10 of base claim 2 appear to set forth a double recitation of the same structure previously called for in lines 21-27 of basic claim 1. Is not the "oxidant afterburner injector" of claim 2 the inherently part of the "afterburner oxidant injection means" of claim 1?

9. Claims 3-13 are further rejected under 35 USC 112, first paragraph, as unwarranted by the disclosure. Nowhere in the descriptive portion has the temperature sensor 36 been indicated as part of the afterburner oxidant injection means" (emphasis added).

10. An inquiry concerning the merits of this communication should be directed to David H. Brown at telephone number (703) 308-0506. All inquiries of a general nature or those relating to the status of this application should be directed to the Group receptionist at (703) 308-0511.



DAVID H. BROWN

EXAMINER

GROUP ART UNIT 2201